

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF PLUMBERS**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Tuesday, April 15, 2014

9:00am

In attendance:

Anthony Cardarelli

Larry Giorgi

Richard Mandarini

Michael Newman

Michael Raposa

William J. Riley, Chair

DLT Director, Lionel Bernardino and Jeffrey Hutton were not in attendance.

Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; Mary Ellen McQueeney-Lally, DLT Legal Counsel; and John Shaw, Administrator.

1.) Call to Order: The meeting was called to order at 9:10am by

William J. Riley, Chair.

2.) Minutes of March 18, 2014 Meeting: Richard Mandarini made a motion to accept the minutes of the March 18, 2014 meeting; seconded by Larry Giorgi; and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Mary Ellen McQueeney-Lally, DLT Legal Counsel, reminds the Board that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter. Legal Counsel is available for questions.

4.) Violation Appeal Hearings:

Edward Freeman, Rooterman – Violation 4782: E. Patrick Luther, Chief Plumbing Investigator; and Edward Freeman are sworn in for testimony. Mr. Luther reads the violation into the record.

Date on Violation: 2/11/2014; Violation #4782

Name of Violator: Edward Freeman – Rooterman

Location of Violation: David Della Silva Residence 233 Westmoreland Lane Saunderstown, RI

Violation:

5-20-8 Practices for which a master license required

5-20-9 Acts for which journeypersons license required

5-20-26 Municipal inspectors and installation permits

On November 16, 2013, Rooterman entered into a contract to install a water filtration system to remove a foul smell from the potable water system at the above location. Rooterman is not licensed as a Master Pumber in RI and owner, Edward Freeman, does not hold a Master Plumber's license in RI. Upon further investigation it was determined that Rooterman had an unlicensed individual, Mr. Edward Delgreco, install the new filtration system, water storage tank, and water heater.

Upon contacting Mr. Freeman he admitted to Chief Plumbing Investigator, E. Patrick Luther, that Rooterman did not have a license as required by law and that Mr. Delgreco installed the new filtration system, water storage tank, and water heater at the above location. No permit was taken in the Town of North Kingstown, RI. This is a violation of the above referenced RI General Laws.

E. Patrick Luther provides testimony and is questioned by the Board.

Edward Freeman provides testimony and is questioned by the Board.

Michael Newman made a motion that Violation #4782 did occur; RIGL 5-20-8, Practices for which master's license required; RIGL 5-20-9

Acts for which journeyperson's license required; and RIGL 5-20-26 Municipal inspectors and installation permits. The motion was seconded by Anthony Cardarelli and passed unanimously by the Board.

Anthony Cardarelli made a motion that the original fine of \$1,500.00 be upheld in regards to RIGL 5-20-33. The motion was seconded by Michael Newman and passed unanimously by the Board.

The recommendation will be forwarded to the Director's office.

Edward Freeman, Rooterman – Violation 4791: Parties were previously sworn in for testimony. E. Patrick Luther read the violation into the record.

Date on Violation: 2/21/2014; Violation # 4791

Name of Violator: Name of Violator: Edward Freeman – Rooterman

Location of Violation: Antonio Cassisi 24 Carnation St Cranston, RI

Violation:

5-20-8 Practices for which master's license required

5-20-9 Acts for which journeyperson's license required

5-20-26 Municipal inspectors and installation permits

On December 26, 2013, Rooterman, Ed Freeman, entered into a

contract to install plumbing at the above location. Rooterman is not licensed as a Master Plumber in RI, and owner Edward Freeman does not hold a Master Plumber's license in RI. Upon further investigation it was determined that Rooterman had an unlicensed individual, Mr. Edward Delgreco, install the new drainage waste and venting and the potable water piping. Upon contacting Mr. Freeman he admitted to Chief Plumbing Investigator, E. Patrick Luther, that Rooterman did not have a license as required by law and that Mr. Delgreco installed the plumbing at above location. No permit was taken in the Town of Cranston RI. This is a violation of the above referenced RI General Laws.

E. Patrick Luther and Edward Freeman provide testimony and are questioned by the Board.

Michael Newman made a motion that Violation #4791 did occur; of RIGL 5-20-8, Practices for which master's license required; RIGL 5-20-9 Acts for which journeyperson's license required; and RIGL 5-20-26 Municipal inspectors and installation permits. The motion was seconded by Anthony Cardarelli and passed unanimously by the Board.

Michael Newman made motion that the original fine of \$2,850.00 be reduced to \$850.00. The motion was seconded by Larry Giorgi and passed unanimously by the Board.

The recommendation will be forwarded to the Director's office.

Robert J. Burke – Violation 4793: Robert J. Burke; Robert Gaj, DLT; and E. Patrick Luther, DLT, are sworn in for testimony.

Date on Violation: 2/24/2014; Violation #: 4793

Name of Violator: Robert J. Burke

Location of Violation: Casino Terrace Parcel ID 33-065 Newport RI

Violation: RIGL 5-20-10 Work for which apprentice certificate required

On January 17, 2014, RIDLT Investigator, Robert Gaj, witnessed Robert Burke, MP003503, and Mathew Medeiros installing plumbing at the above address. Mr. Burke is a licensed Master Plumber in RI and a permit was taken in the City of Newport for the Installation. Mr. Medeiros who was assisting Mr. Burke is not a licensed plumber or a registered apprentice in RI. This is a violation of the above referenced RI General Law.

Robert Gaj, DLT Investigator, provides testimony. E. Patrick Luther provides testimony.

Robert Burke provides testimony.

Michael Newman made a motion the Violation 4793 did occur, of RIGL

5-20-10 Work for which apprentice certificate required. The motion was seconded by Michael Raposa and passed unanimously by the Board.

Michael Newman made a motion to suspend the \$500.00 fine for one year and if Mr. Burke comes before the Board again within that year period the fine will be reinstated and whatever violations found with Mr. Burke will be enforced as well. The motion was seconded by Michael Raposa and passed unanimously by the Board.

The recommendation will be forwarded to the Director's office.

5.) Apprentice Approvals / Apprentice Registrations:

- Jeff Dinwoodie Josh Jordan – MP002112**

Larry Giorgi made a motion to accept the new apprentice approvals / apprentice registrations; seconded by Michael Newman and passed unanimously by the Board.

**** There is discussion of exam updates. For informational purposes, E. Patrick Luther advised the Board that their recommendation regarding Robert Lubera from the March meeting had been revised by the Deputy Director. There is discussion. There was additional discussion of non payment of fines.**

6.) Adjournment: Michael Newman made a motion to adjourn; seconded by Michael Raposa. There was no opposition. The meeting adjourned at approximately 9:59am.